

**Town of La Pointe Zoning  
Town Plan Commission Workshop Minutes  
Thursday, January 14, 2010**

**Town Plan Commission (TPC) Members Present:** Ted Pallas; Chair, Charles Brummer; Vice-Chair, Larry Whalen, Ron Madich, Greg Thury, Suellen Soucek, Carey Baxter (7)

**Town Plan Commission Members Absent:** none

**Public Present:**

**Town Staff Members Present:** Jennifer Croonborg; ZA, Margaretta Kusch; ZCA (2)

**I. Call to Order/Roll Call**

Chair Pallas called the meeting to order at 1:00 PM at the Town Hall. Roll call reflected members present or absent as recorded above.

**II. Public Comment**

C. Brummer comments that the letter to the *Island Gazette* was well done. General agreement.

**III. Zoning Ordinance Revision Project**

**a. Review and Possibly Revise working draft of tentative Ordinance Revision, with amendments as of January 6, 2010, Section 1.0 through Section 14.0**

General changes to make throughout ordinance:

- Change “*principle*” to “*principal*,” as in “principal dwelling.”
- Capitalize “*Ordinance*” throughout, where referring to the La Pointe Zoning Ordinance specifically.
- Capitalize “*Section*” when referring to a specific section of the Ordinance.
- Capitalize “*Order*” when referring to a legal order.
- Capitalize “*Land Use Permit*” when referring to that document specifically.
- Capitalize “*Conditional Use Permit*” when referring to that document specifically.
- Capitalize “*County*” and “*State*” when referring to specific counties and states.
- Only capitalize “*Zoning*” and “*District*” when referring to a specific zoning district.
- “*Planned Unit Developments*” shall be changed throughout to “*Planned Unit Residential Developments*.”
- “*Sanitation permit(s)*” shall be changed throughout to “*sanitary permit(s)*.”
- Only include decimal point when referring to specific parts of a section. For example, refer “*Section 3*” if discussing zoning districts in general. Refer to “*Section 3.2*” if discussing district boundaries.

- Use the term “*personal service*” not “*personal delivery*.” For example, “Orders shall be delivered by personal service.”
- Use the term “*1<sup>st</sup> class U.S. mail*” not “*U.S. Mail*.”
- Use the term “*Town Board*” not “*Town Board of Supervisors*.”
- Use the term “*Zoning Administrator*” not “*Town Zoning Administrator*.”
- Spell out the word “*subsection*” instead of using the abbreviation “*subd.*” However, do not make this change until after the Public Hearing of January 27, 2010, as it appears abbreviated in the sections under review that have been distributed already.
- Do not spell out zoning district titles, except as headings in Section 3. For example, “*C-1*” not “*C-1 Commercial District/Town Center*.”
- Use the title “*Technical Memorandum #3 Subdivision Ordinance*” consistently throughout the Ordinance.
- Do place a colon after each definition title in Section 2.0.
- The Town Plan Commission authorizes the Zoning Clerical Assistant to edit the Ordinance for forgotten, misplaced, and/or unnecessary commas, periods and other punctuation. In addition, the Zoning Clerical Assistant is authorized to edit the Ordinance for grammatical errors such as the misuse of “that” and “which,” and shall add a disclaimer to the finished Ordinance noting these changes.
- In appendix of Ordinance, add Permitted and Conditional Use Matrix as Table 2, and Average Lot Width as Table 3. Increase font size and change to bold these titles.

## Section 2.0 Definitions

- In Section 2.1, in the 8<sup>th</sup> bullet point, change “*and*” to “*or*.”
- Change title of “*(13) Dwelling, Accesory*” to “*(13) Dwelling, Accessory*.”
- In (22) Home Business, change “*Section 6.2 C.C*” to “*Section 6.4 C.*”
- Change title of “*(33) Minor Structure*” to “*(33) Minor Accessory Structure*.”
- In (33) Minor Structure, delete “*and walls and fences under four (4) feet in height*.”
- In (62) Zoning Administrator, change “*and*” to “*an*.”
- In (62) Zoning Administrator, add “*(see Section 8.0)*.”

## Section 3.0 Zoning Districts

- In 3.1 Establishment of districts, change “*See “Zoning Schedule—Dimensional Requirements” in Table 1, Appendix for further information on specific districts*” to read “*See “Zoning Schedule—*

*Dimensional Requirements” in Table 1, Appendix and Permitted and Conditional Use Matrix, Table 2, Appendix, for further information on specific districts.”*

- In 3.1.4 R-1 Residential, Single-Family, Low Density, delete “Under Section 6.5.1” from second asterisk note.
- In 3.1.12 A LZ Light Industrial Zone Permitted Uses, add “19. Airport Facility.”
- In 3.1.14 Public Resource Land District, delete “Something like:” from the beginning of the definition of said district and delete “)” from the end of the definition of said district.
- In 3.1.15 B Conservancy District Conditional Uses, add “5. Accessory Structure.”
- In 3.1.17 B Marina District Conditional Uses, change “3. Underground retail fuel storage” to “3. Fuel storage/retail facility.”
- Add abbreviations to the titles of new districts as follows:  
“13. G-I Government and Institutional District”  
“14. P-R Public Resource Land District”  
“15. C-V Conservancy District”  
“16. T-P Town Park District”  
“17. M Marina District”

#### **Section 4.0 General Provisions**

- In 4.2.6 Accessory Uses and Structures, change “Any permanent, roofed structure serving as an accessory not attached to the principle building/ dwelling. It shall conform to the setback and other dimensional requirements of the district within which it is located” to read “A detached subordinate structure which is clearly incidental to and customarily found in connection with the principal structure or use to which it is related. If attached to the principal building shall be considered part of the principal building. It shall conform to the setback and other dimensional requirements of the district within which it is located. All other accessory structures shall also conform to the setback requirements required of the principle building in the district within which it is located. Accessory structures require a Land Use Permit.”
- Delete “A. Accessory Structures Requiring Land Use Permit: (List to be determined). 4.2.6 A shall now be the language in the above bullet point of these minutes.
- In the heading of 4.2.6 B, change “Minor structures allowed without Land Use Permit” to read “Minor accessory structures allowed without Land Use Permit.”
- In list of minor accessory structures allowed without a Land Use Permit, delete the following:
  - Hot Tubs
  - Stairs less than four (4) feet wide with no platform greater than forty (40) square feet and with no benches or tables
  - Tents
  - Tent pads not affixed to the ground
  - Travel trailers used for habitation and removed within six (6) months
  - Travel trailers stored and not used for habitation on the site
  - Signs less than four (4) square feet

- In list of minor accessory structures allowed without a Land Use Permit, change “Kennel” to “Pet house.”
- In list of minor accessory structures allowed without a Land Use Permit, change “Playground” to “Play equipment.”
- In list of minor accessory structures allowed without a Land Use Permit, change “Fences” to “Fences under ten (10) feet.”
- At the end of Section 4.2.6 Accessory Uses and Structures, add the following sentence: “No minor accessory structure shall be located in the right of way of any public or private road.”
- In 4.3.4.1a Camping on Private Lands: Temporary Camping, change “regular zoning permit” to “Land Use Permit.”
- In 4.3.4.1a Camping on Private Lands: Temporary Camping, item 1, change “Light Industrial (L-Zoning)” to “Light Industrial (L-Z).”
- In 4.3.4.1a Camping on Private Lands: Temporary Camping, item 5, add the word “Permitted” to the beginning of the first bullet point, to read “Permitted connection to an Ashland County approved on-site waste disposal system.”
- In 4.3.4.1a Camping on Private Lands: Temporary Camping, add an item 8 to read: “8. A temporary camping unit shall not be let or rented.”
- In 4.3.4.1b Camping on Private Lands: Camping on a lot during construction of a single-unit family dwelling, item 2 a., add the word “Permitted” to the beginning of the sentence, to read “Permitted connection to an Ashland County approved on-site waste disposal system.”
- In 4.3.4.1b Camping on Private Lands: Camping on a lot during construction of a single-unit family dwelling, item 3, add the following to the end of the sentence: *or in two years, whichever is lesser,*” to read “The camping activity shall cease upon the completion of the single family dwelling on the property or in two years, whichever is lesser.”
- In 4.3.4.2 Long Term Camping Unit, change “A camping unit in use for more than 15 consecutive days and/or more than 30 days in any calendar year shall require town and land use permits (where applicable) and an Ashland County sanitation permit for such activity” to read “A camping unit in use for more than fifteen (15) consecutive days and/or more than thirty (30) days in any calendar year shall require a town Land Use Permit (where applicable), an Ashland County Building Permit (where applicable), and an Ashland County Sanitary Permit for such activity.”
- In 4.3.4.2 Long Term Camping Unit, add the following bullet point item: “No principal dwelling currently exists on the property.”
- In 4.3.4.2 Long Term Camping Unit, add the following bullet point item: “A long-term camping unit shall not be let or rented.”

- In 4.4.3 Shoreland Regulations: Commercial Forestry, delete “*The purpose of this order*” and replace with “*Standards for this use.*”
- In 4.4.3 Shoreland Regulations: Commercial Forestry, add “*Cutting of trees and natural shrubbery*” to the beginning of the sentence, to read “*Cutting of trees and natural shrubbery within a strip paralleling the shoreline from the mainland edge of the thirty-five (35) foot strip for lots in existence as of the Ashland County Shoreline Ordinance and fifty (50) feet for lots created thereafter to the outer limits of the shoreland, shall be allowed when accomplished under accepted forest management practices.*”

#### **Section 6.0 Regulation of Special Uses**

- In 6.1 b. Junk/Salvage Yards, add an item 3: “*3. Junk/ salvage yards may be a permitted use in the Light Industrial Zone.*”

#### **b. Section 6.0 Regulation of Special Uses: discuss possible addition of regulations regarding employee housing.**

Agreement that this issue does need to be addressed in the Ordinance. The Town Plan Commission shall discuss the subject at next meeting.

#### **IV. Future Agenda Items**

- Discuss possible addition of regulations regarding soil erosion control.

#### **V. Schedule of Next Meeting**

Next TPC Regular Monthly Meeting to be held Wednesday, January 20, 2010, at 5 pm.

#### **VI. Adjournment**

G. Thury moves to adjourn. S. Soucek seconds. All in favor, 7 aye. Motion Carries. Meeting ends at 3:10 pm.

**Draft Town Plan Commission Minutes respectfully submitted by Margaretta Kusch, ZCA, on Friday, January 15, 2010.**

**Town Plan Commission Minutes approved as amended by Margaretta Kusch; ZCA, on Wednesday, January 20, 2010.**